

Religion and the Workplace: Workers' Rights and Accommodations

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Discussion Outline

- Religious rights in the workplace
- Effectively asserting these rights
- Examples
 - Religious expression
 - Dress and grooming
 - Sabbath observance
- Questions

Employment Laws & Religion

● Federal Law

- Title VII of the Civil Rights Act (1964)

- 15 or more employees

● State Law

- May apply with fewer employees

- Which law governs?

What Are My Workplace Rights?

Do I have to check my religion at the
office door?

Workplace Rights

● Employees are entitled to be free from:

● Discrimination

● Harassment

● Retaliation

Workplace Rights

- Employers must make allowances for employees' sincere religious beliefs
- Known as “reasonable accommodation”

What About My Faith Needs to be Accommodated?

- All aspects of religious observance, practice, and belief

What Do I Need to Show to Receive an Accommodation?

- Must show that one's faith is "sincerely held"
- Belief(s) or adherence may change over time
- Practice may only be practiced at certain times of the year

What Is a Reasonable Accommodation?

- Eliminates conflict between employment requirements and religious practices
- Employee not entitled to accommodation of his or her choice

Reasonable Accommodation

⦿ Examples:

- ⦿ Flexible scheduling
- ⦿ Voluntary substitutes and swaps
- ⦿ Lateral transfers and change of job assignments

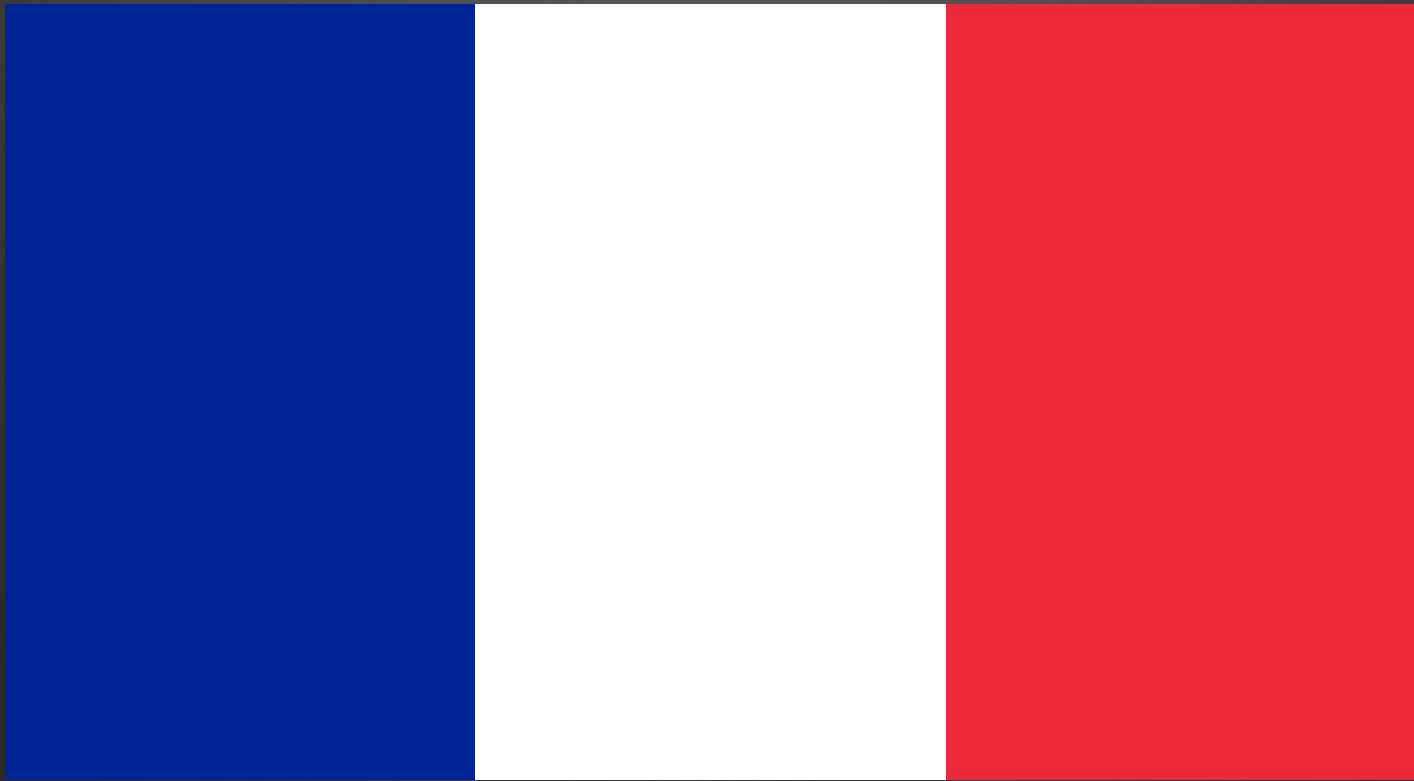
⦿ Not reasonable accommodation if religious employee segregated from customers (unless employee requested segregation)

Reasonable Accommodation

- Mandatory unless allowance imposes an “undue hardship” on the employer
- Employee can rebut claim of “undue hardship” based on past experience

How Do I Effectively
Assert My Religious
Rights at Work?

Don't Hide Your Religion



But you don't have to name it, either

Assert Religious Rights

- Hold sincere religious belief/practice that conflicts with a job requirement
- Notify the employer of the conflict due to religious reasons

Notifying the Employer

- No need to use any magic words such as “Title VII” or “accommodation”
- Must connect job duty and conflict with religious belief

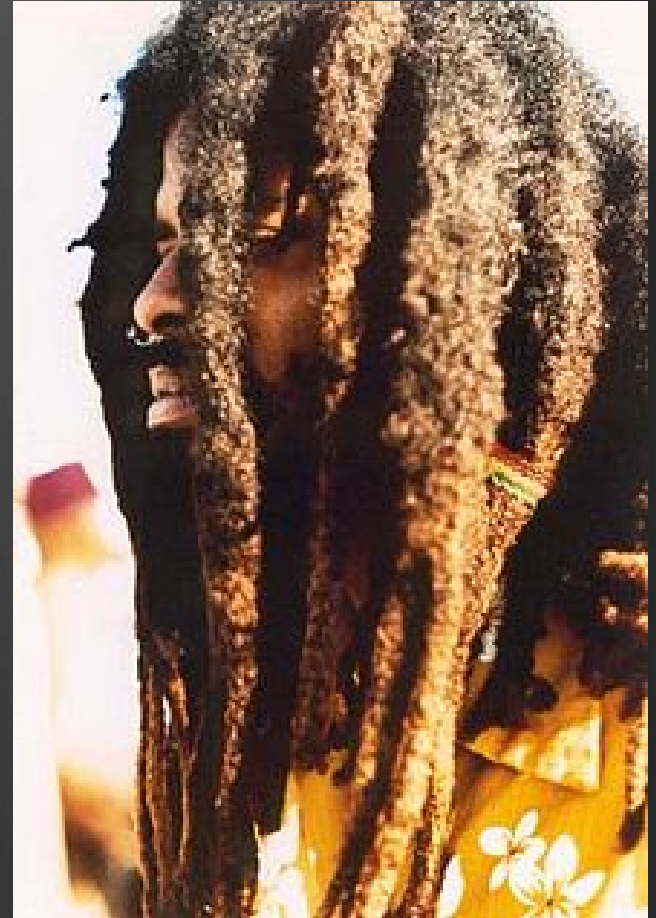


Photo by Jonathan Stephens,
[<http://www.jrsfilm.com> JRS Film Website]

Examples of Religious Rights at Work

Religious Expression



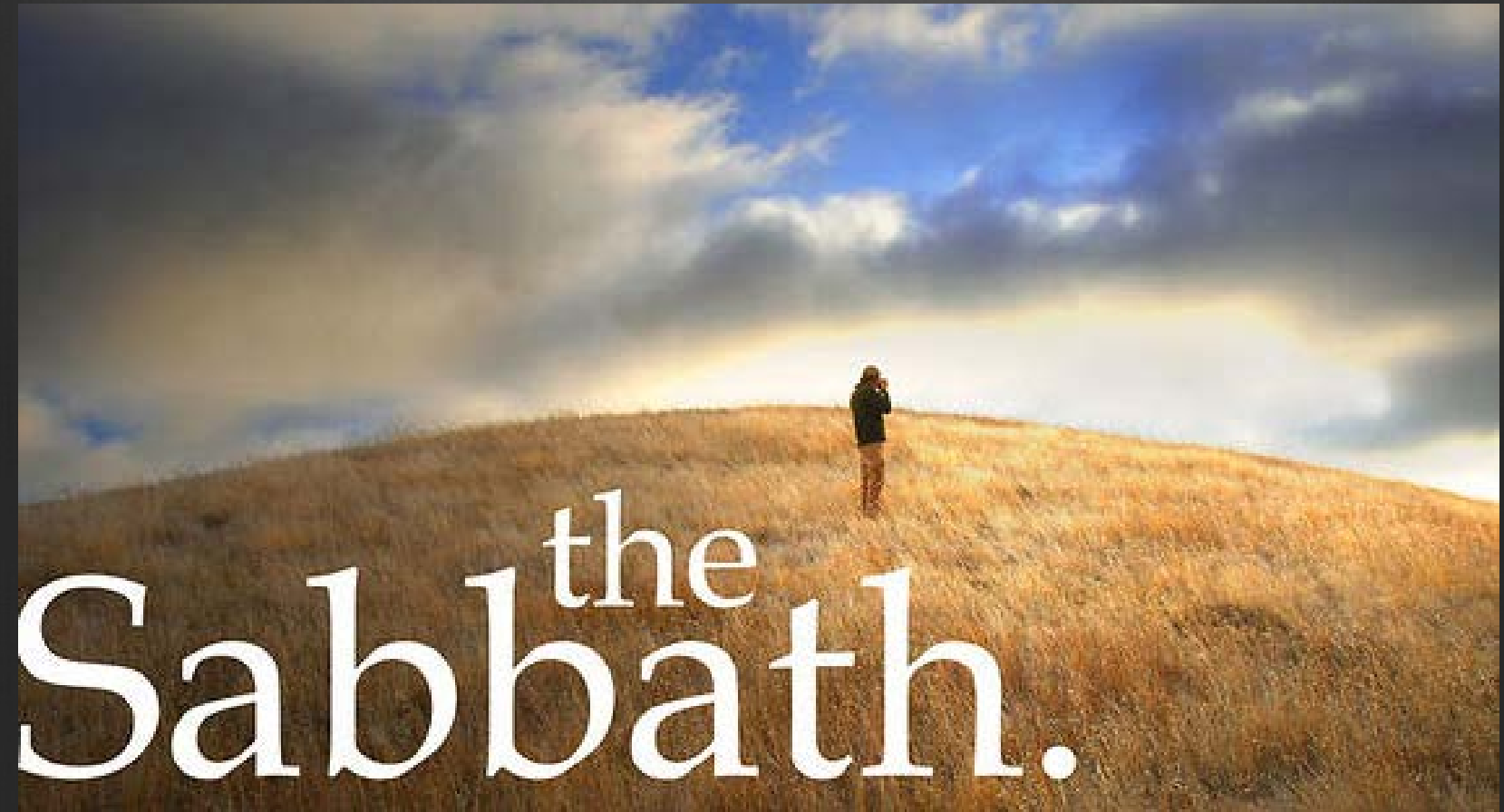
Photo credit: Shutterstock.com

Dress & Grooming



IMAGE CREDIT: sikhcoalition.org

Sabbath Observance



Source: <http://actstwochurch.com/sabbath-gods-perfect-timing/>

Questions?